

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

SHARON EVANS)	
11590 Winding Wood Drive)	
Indianapolis, IN 46235)	
)	
Plaintiff,)	
)	Cause No.
vs.)	
)	Division No.
McDONALD'S CORPORATION)	
)	
Serve at:)	
Registered Agent)	
Prentice Hall Corporation)	
801 Adlai Stevenson Drive)	JURY TRIAL DEMANDED
Springfield, IL 62703)	
)	
Defendant.)	

COMPLAINT

COMES NOW Plaintiff, SHARON EVANS, and for her cause of action against Defendant, McDONALD'S CORPORATION states to the Court as follows:

Preliminary Statement

This action seeks compensatory damages for acute injuries suffered by Plaintiff Sharon Evans on April 20, 2014 while Plaintiff was a customer at Defendant's restaurant. She was caused to slip and fall on the floor inside the restroom of the restaurant due to an excessive amount of water on the floor after being mopped.

Jurisdiction

1. This Court has jurisdiction pursuant to 28 U.S.C. §1332(a) because there is diversity of citizenship between the Plaintiff and the Defendant and the amount in controversy exceeds \$75,000.00.

Venue

2. Venue of this action properly lies in the United States District Court for the Eastern District of Missouri, pursuant to 28 U.S.C. §1391(b) because a substantial part of the events or omissions giving rise to the claim occurred within this district.

Parties

3. Plaintiff, Sharon Evans, (hereinafter “Plaintiff”) is a resident and citizen of Marion County, State of Indiana.

4. Defendant, McDonald’s Corporation, (hereinafter “Defendant”), is a foreign corporation organized and existing pursuant to the law, is registered to do business within the State of Missouri and is a corporate citizen of the state of Illinois.

DEFENDANT MCDONALD’S CORPORATION

NEGLIGENCE

5. At all times mentioned in this Complaint, Defendant owned and operated a restaurant known as McDonalds located at 4001 Crusher Drive, O’Fallon, Missouri.

6. At all times mentioned in this Complaint, Defendant invited the general public, including Plaintiff, to enter the premises in order to dine at the restaurant at its location of 4001 Crusher Drive, O’Fallon, Missouri, on or about April 20, 2014.

7. On or about April 20, 2014, while Plaintiff was a customer at Defendant’s restaurant she was caused to slip and fall on the floor inside the restroom of the restaurant due to an excessive amount of water on the floor after being mopped and suffered serious injuries to her person that were directly and proximately caused by the carelessness and negligence of Defendant, acting through its agents and servants individually or collectively, in one or more of the following respects:

- (a) Defendant knew or by using ordinary care could have known that there was an excessive amount of water on the floor of its restaurant that was not reasonably safe and failed to remedy or remove it before allowing customers in the area;
- (b) Defendant failed to adequately warn the Plaintiff of the slip hazard created by the water on the floor of its restaurant;
- (c) Defendant failed to train its employees on the proper method to clean the floor of its restaurant;
- (d) Defendant's employees failed to properly clean the floor of its restaurant.

8. As a direct and proximate result of the negligence and carelessness of Defendant as aforesaid in one or more of the foregoing respects, Plaintiff was caused to suffer and did suffer from serious and permanent injuries in the following respects, to-wit: Plaintiff suffered injuries to her left arm, broken rib, right shoulder and left shoulder, being permanent, progressive and painful; Plaintiff suffered, does suffer and will in the future continue to suffer such pain; Plaintiff's injuries are serious, permanent, disabling and painful; and the function, use and movement of the aforementioned parts of Plaintiff's body are and in the future will be impaired and diminished.

9. As a direct and proximate result of Defendant's carelessness and negligence of Defendant, Plaintiff has incurred medical expenses in sums not yet determined, which sums for medical expenses may increase and other damages in excess of \$75,000.00, and is reasonably certain to sustain additional expense and loss in the future on account of medical treatment.

WHEREFORE, Plaintiff, Sharon Evans, prays judgment against Defendant, McDonald's Corporation, for his costs incurred and for such other relief as the Court deems just and equitable, and hereby requests a trial by jury.

BROWN & CROUPPEN, P.C.

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